

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

GEORGIA-PACIFIC CONSUMER  
PRODUCTS LP, a Delaware limited  
partnership,

Plaintiff,

v.

LEE'S GENERAL TOYS, INC., a California  
corporation; JOHN LEE, an individual; DOES  
1-100,

Defendant.

Civil No. 07-cv-2391-JAH (POR)

**ORDER RESCHEDULING EARLY  
NEUTRAL EVALUATION**

On its own motion, the Court hereby reschedules the Early Neutral Evaluation currently set for February 27, 2008 due to a conflict with the Court's calendar. The Early Neutral Evaluation is rescheduled to **March 18, 2008 at 10:00 a.m.** in the Chambers of the Honorable Louisa S. Porter, United States Magistrate Judge, First Floor, 940 Front Street, San Diego, California 92101.

Pursuant to Rule 16.1(c) of the Local Rules of the United States District Court for the Southern District of California, *all counsel, all parties, and any other person(s) whose authority is required to negotiate and enter into settlement shall appear in person at the conference*, shall be prepared to discuss the claims and defenses, and shall be legally and factually prepared to discuss and resolve the case at the Early Neutral Evaluation Conference. The parties must be prepared to present demands and offers of settlement. Corporate counsel and/or retained outside corporate counsel **shall not** appear on behalf of a corporation as the party who has the authority to negotiate and enter into a settlement. Counsel for any non-English speaking parties is responsible for

1 arranging for the appearance of an interpreter at the conference. *Failure of required counsel and*  
2 *parties to appear in person will be cause for the imposition of sanctions.* All conference discussions  
3 will be informal, off the record, privileged, and confidential.

4 *Plaintiff's counsel shall give notice of the Early Neutral Evaluation Conference to parties*  
5 *responding to the complaint after the date of this notice.*

6 In the event the case does not settle at the Early Neutral Evaluation Conference, the parties  
7 shall also be prepared to discuss the following matters at the conclusion of the conference:

- 8 1. Any anticipated objections under Federal Rule of Civil Procedure 26(a)(1)(E) to the  
9 initial disclosure provisions of Federal Rule of Civil Procedure 26(a)(1)(A-D);
- 10 2. The scheduling of the Federal Rule of Civil Procedure 26(f) conference;
- 11 3. The date of initial disclosure and the date for lodging the discovery plan following  
12 the Rule 26(f) conference; and,
- 13 4. The scheduling of a Case Management Conference pursuant to Federal Rule of Civil  
14 Procedure 16(b).

15 The Court will issue an order following the Early Neutral Evaluation Conference addressing  
16 these issues and setting dates as appropriate.

17 The Court directs counsel to Federal Rule of Civil Procedure 26(d) which states, “[e]xcept in  
18 categories of proceedings exempted from initial disclosure under Rule 26(a)(1)(E), or when  
19 authorized under these rules or by order; or agreement of the parties, *a party may not seek discovery*  
20 *from any source before the parties have conferred as required by Rule 26(f).*” (emphasis added).

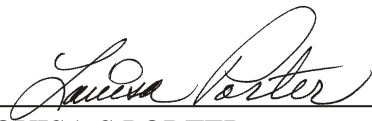
21 Early Neutral Evaluation Conferences shall be rescheduled only upon a showing of good  
22 cause and adequate notice to the Court. If counsel wish to reschedule this conference, they shall  
23 contact the Court at least seven days prior to the conference. Absent exceptional circumstances, the  
24 Court will not reschedule this conference with less than seven days notice. Only in extreme  
25 circumstances will the Court reschedule this conference with less than 24 hours notice. The Court  
26 reminds counsel and parties that conferences held beyond 45 days of the filing of an answer are  
27 contrary to Rule 16.1(c) of the Civil Local Rules, and are seriously disfavored by the Court.

28 Counsel are directed to the court’s website, [www.casd.uscourts.gov](http://www.casd.uscourts.gov), for review of the

1 chambers' rules of the assigned District Judge.

2 Questions regarding this case may be directed to Judge Porter's law clerk, Emily T. Patajo, at  
3 (619) 557-5383.

4 DATED: February 21, 2008

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6 \_\_\_\_\_  
7 LOUISA S PORTER  
8 United States Magistrate Judge

9 cc: The Honorable John A. Houston  
10 All parties  
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